

### REMARKS

The following remarks are submitted to address the above amendments and issues raised in the Official Action mailed March 9, 2004.

Following entry of the amendments above, claims 1-2, and 4-29 are pending in this application. Claims 1, 2, and 4-29 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Claims 1, 2, and 4-29 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement.

These amendments are made merely to clarify the subject matter of this application. No new matter has been added. Support for requested amendments can be found in the original claims and throughout the present specification and drawings. Applicant respectfully requests consideration of the application in light of the above amendments and the following remarks.

#### Summary of Interview

Applicant thanks Examiner Marschel for the telephonic interview on May 11, 2004, conducted with the Applicant, Ms. Boehm, and the undersigned Applicant's attorney (together referred to as "Applicant"). Following is a summary of the interview.

The rejections under 35 U.S.C. § 112, second paragraph, relating to whether the methods are meant to be limited to a "therapeutic" use in a patient as implied in the claim preambles or as recited in the steps of the claims was discussed. Applicant pointed out that the application discloses use of the claimed methods in environments other than a patient. For example, methods for determining resonant frequencies of electromagnetic radiation for influencing a target material can be carried out in animals other than humans and in food, water, and agricultural settings. It was agreed that removing the word "therapeutic" from the claims would resolve this issue.

INT. SUMMARY OK  
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